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ORIGINAL

Richard L. Sallquist (002677)
 SALLQUIST & DRUMMOND, P.C.
 2525 E. Arizona Biltmore Circle, Suite 117
 Phoenix, Arizona 85016
 Telephone: (602) 224-9222
 Fax: (602) 224-9366
 Attorneys for Johnson Utilities Company

Arizona Corporation Commission

DOCKETED

JUN 15 2000

DOCUMENT CONTROL

DOCKETED BY

✓

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION) DOCKET NO. WS-02987A-99-0583
 OF JOHNSON UTILITIES, L.L.C. DBA)
 JOHNSON UTILITIES COMPANY FOR AN)
 EXTENSION FOR ITS CERTIFICATE OF)
 CONVENIENCE AND NECESSITY TO)
 PROVIDE WATER AND WASTEWATER)
 SERVICE TO THE PUBLIC IN THE)
 DESCRIBED AREA IN PINAL COUNTY,)
 ARIZONA)

SECOND
AMENDED APPLICATION

1. On October 15, 1999, the Company filed the subject application requesting an extension of its existing Water and Wastewater Certificate of Convenience and Necessity.

2. On November 1, 1999, the Company filed an Amended Application revising the requested expansion area.

3. Subsequent to that Amended Application, the Company has received several requests from an adjacent property owners to include their properties within the Company's service area. Further, the Company will not need a wastewater treatment plant site included in the original Application.

4. Attached hereto as "Second Revised Attachment 2" is the legal description for that property. The additional property totals approximately 13,000 acres.

5. Also attached hereto as "Second Revised Attachment 1" are maps showing the additional area requested to be included in the pending certificate extension.

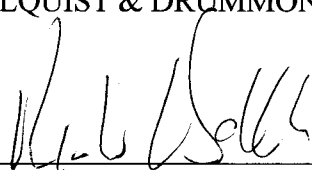
6. Attached hereto as Attachment 8 is the Arizona Department of Environmental Quality Compliance Status Reports, dated March 20, 2000 and June 5, 2000 indicating "No Major Deficiencies", five Approvals of Constitution (wastewater) and the Amendment to Consent Order, dated October 8, 1999, which together indicates that the Company is in Substantial Compliance with ADEQ & requests.

7. All other provisions of the original October 15, 1999 Application and November 1, 1999 Amended Application remain the same.

Wherefore, the Company respectfully requests that the Commission supplement the pending Application to include those additional areas described in this Second Amended Application, and further requests that this matter be set for hearing at the earliest possible date.

Respectfully submitted this 15th day of June, 2000.

SALLQUIST & DRUMMOND, P.C.

By 
Richard L. Sallquist
2525 E. Arizona Biltmore Circle, Suite 117
Phoenix, Arizona 85016
Attorneys for Johnson Utilities Company

Original and 10 copies Hand Delivered
this 15th day of June, 2000 to:

Docket Control
Arizona Corporation Commission
1200 W. Washington
Phoenix, Arizona 85007

1 Copies of the foregoing Hand Delivered
this 15th day of June, 2000 to:

2 Hearing Division
3 Arizona Corporation Commission
1200 W. Washington
4 Phoenix, Arizona 85007

5 Legal Division
6 Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

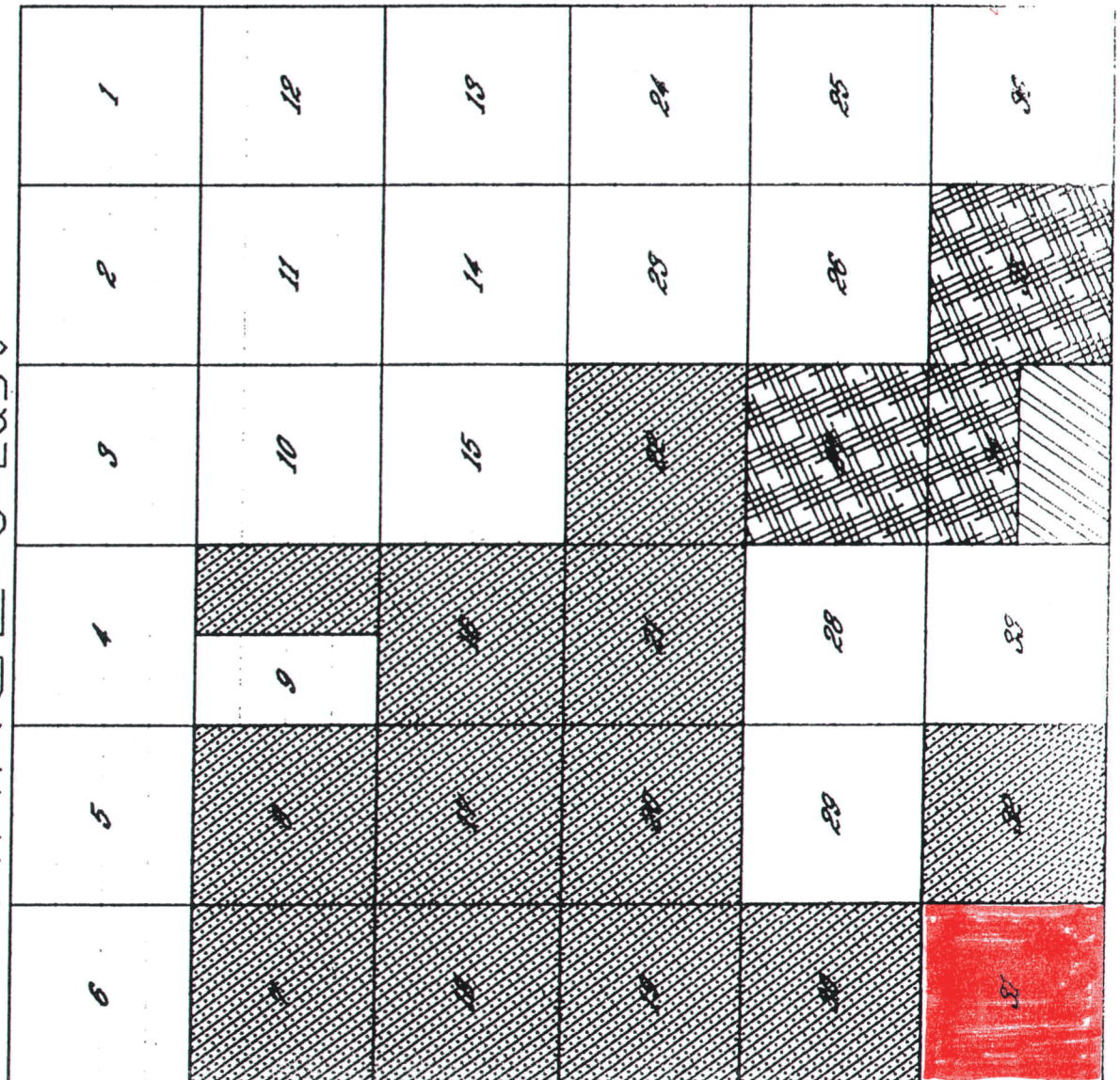
7 Mark DiNunzio
8 Utilities Division
9 Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

10
11
12 Stephanie Sawyer


COUNTY: Pinal


RANGE 8 East


TOWNSHIP 2 South



 U-2859 (2)
Diversified Water Utilities, Inc.

 U-2234 (1)
H₂O, Inc.

 U-2425 (2)
Sun Valley Farms Unit VI Water Co.

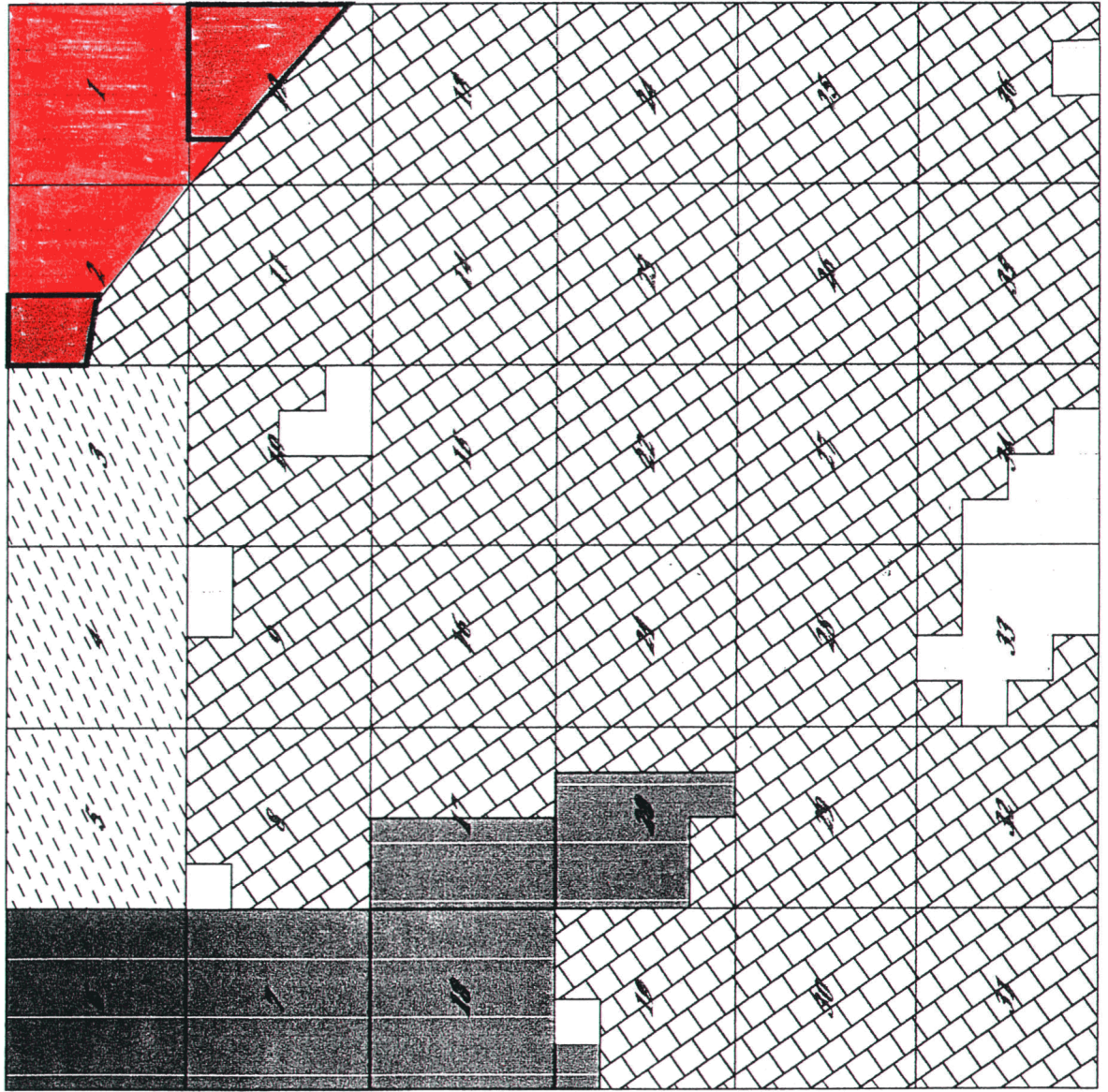
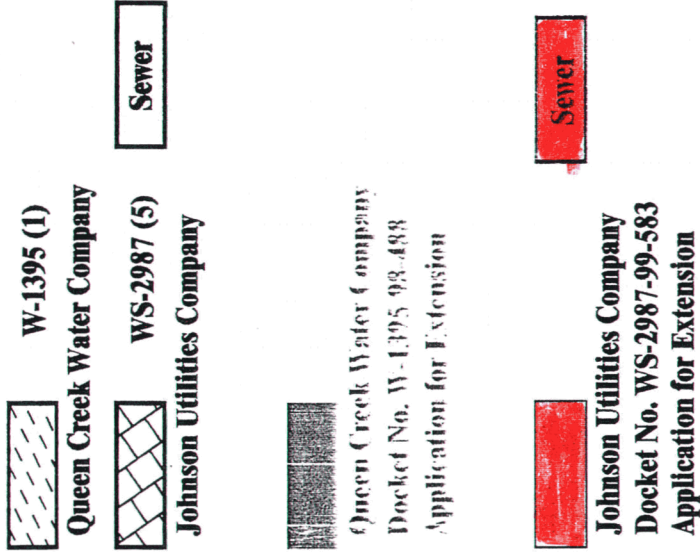
 Johnson Utilities Company
Docket No. WS-2987-99-583
Application for Extension

 Sewer

COUNTY: Pinal

RANGE 7 East

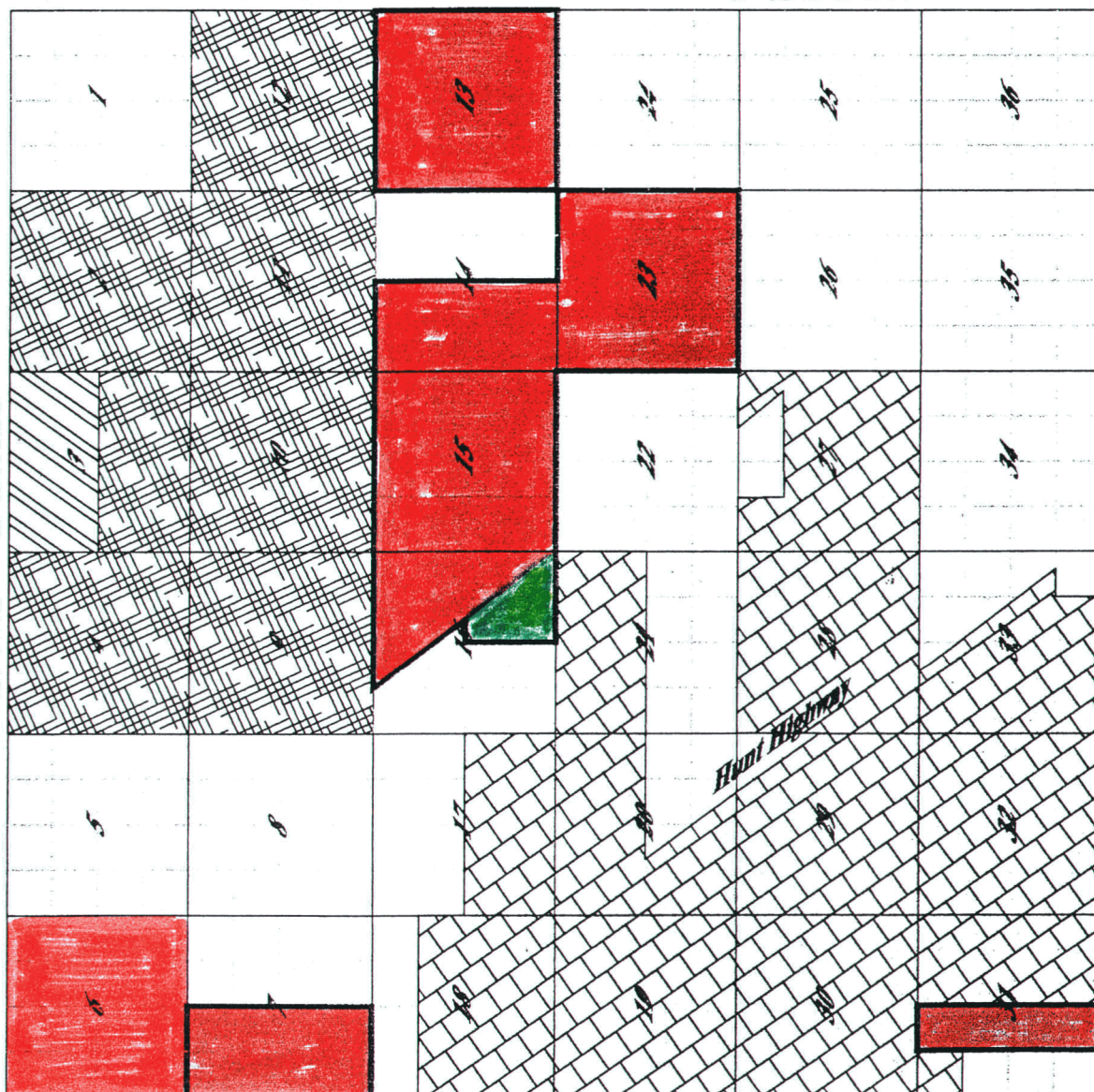
TOWNSHIP 3 South









COUNTY: Pinal

RANGE 8 East

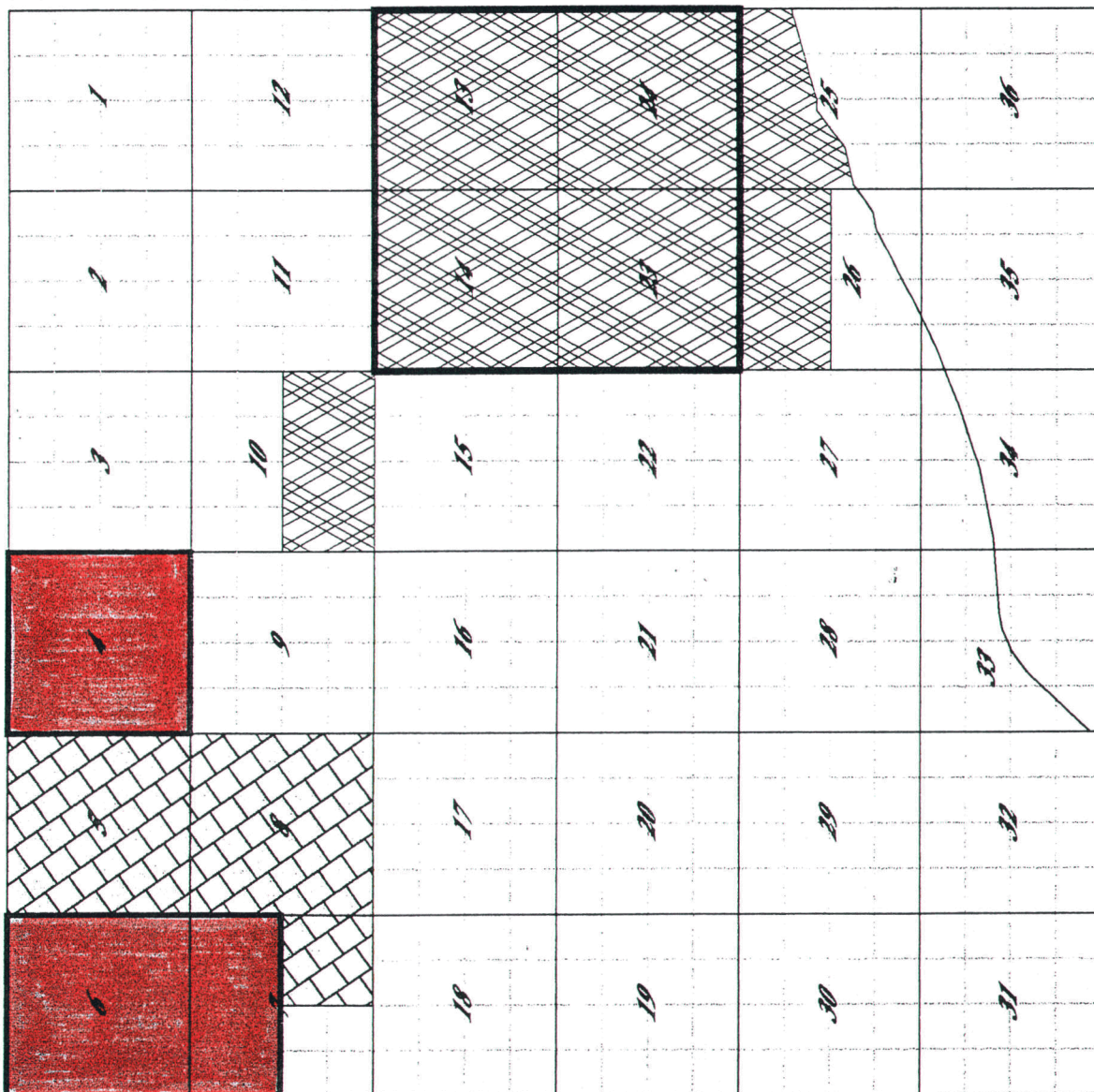
TOWNSHIP 3 South



-  W-2859 (2)
Diversified Water Utilities, Inc.
-  WS-2987 (5)
Johnson Utilities Company
-  W-2425 (2)
Sun Valley Farms Unit VI Water Company
-  Johnson Utilities Company
Docket No. WS-2987-99-583
Application for Extension
-  Removed in Second Amended
Application
-  Sewer

IRANGE 9 East

TOWNSHIP 4 South



(4)

City of Florence (Nonjurisdictional)

WS-2987 (5)

Johnson Utilities Company

Sewer

Sewer

Sewer

Johnson Utilities Company
Docket No. WS-2987-99-583
Application for Extension

Map No. 20

COUNTY: Pinal

RANGE 8 East

TOWNSHIP 5 South



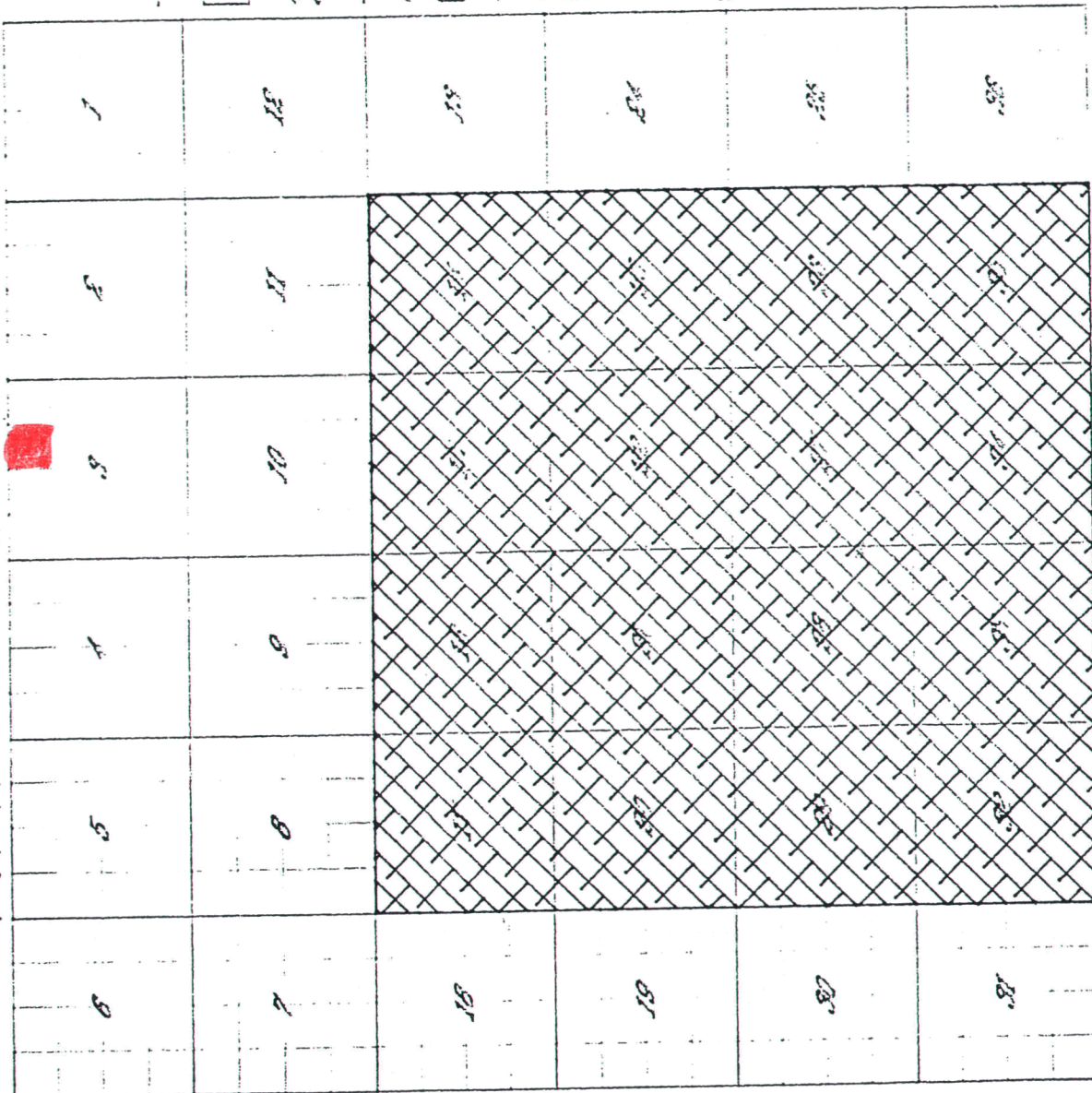
U-1445 (30)(3)

Arizona Water Company (Coolidge)



Sewer

Johnson Utilities Company
Docket No. WS-2987-99-583
Application for Extension



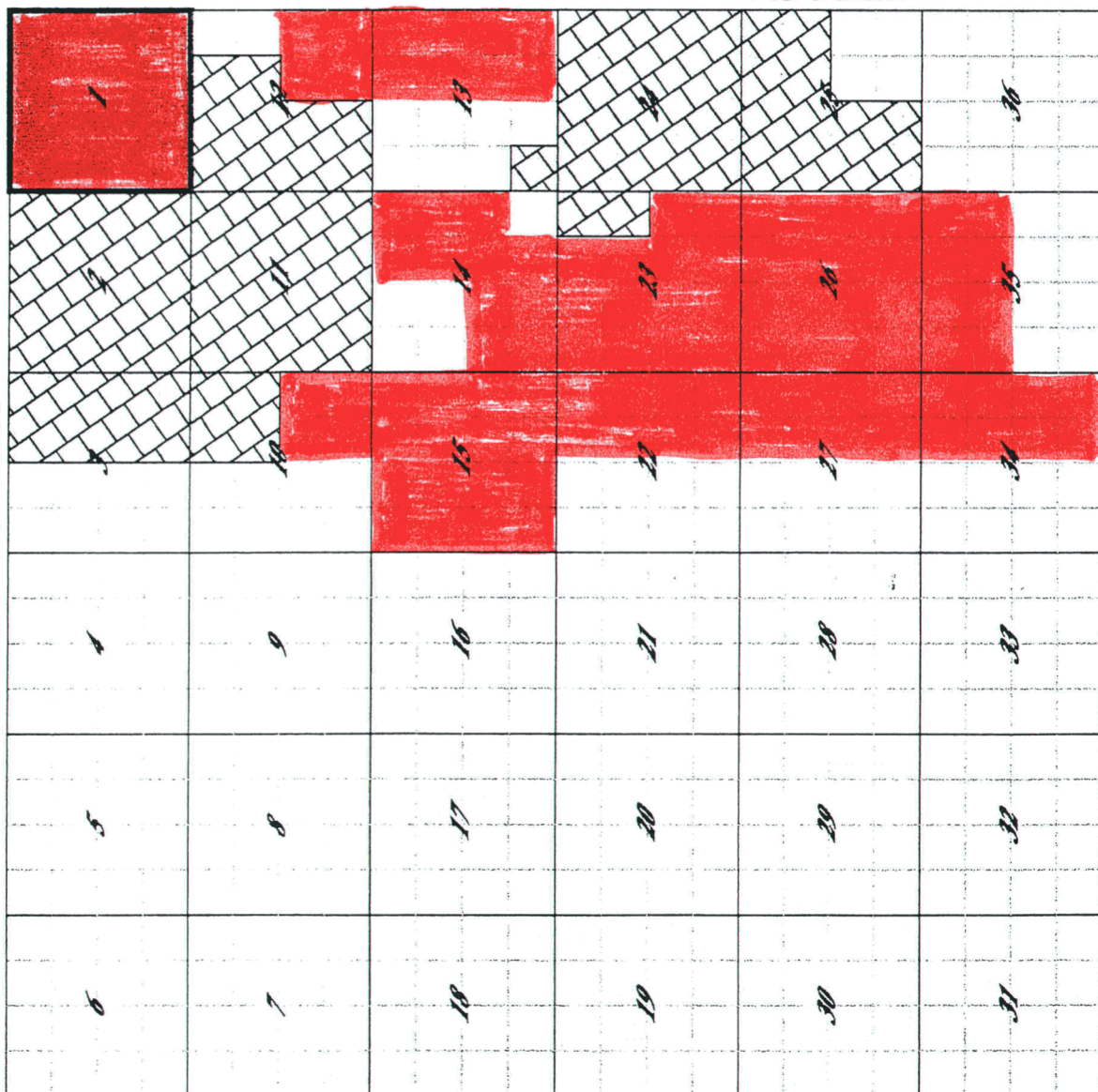
COUNTY: Pinal

RANGE 8 East

TOWNSHIP 4 South

 WS-2987 (5)
 Johnson Utilities Company

 Sewer
 Johnson Utilities Company
 Docket No. WS-2987-99-583
 Application for Extension



Map No. 53:

COUNTY: Pinal

RANGE 9 East

TOWNSHIP 3 South



WS-2987 (3)

Johnson Utilities Company

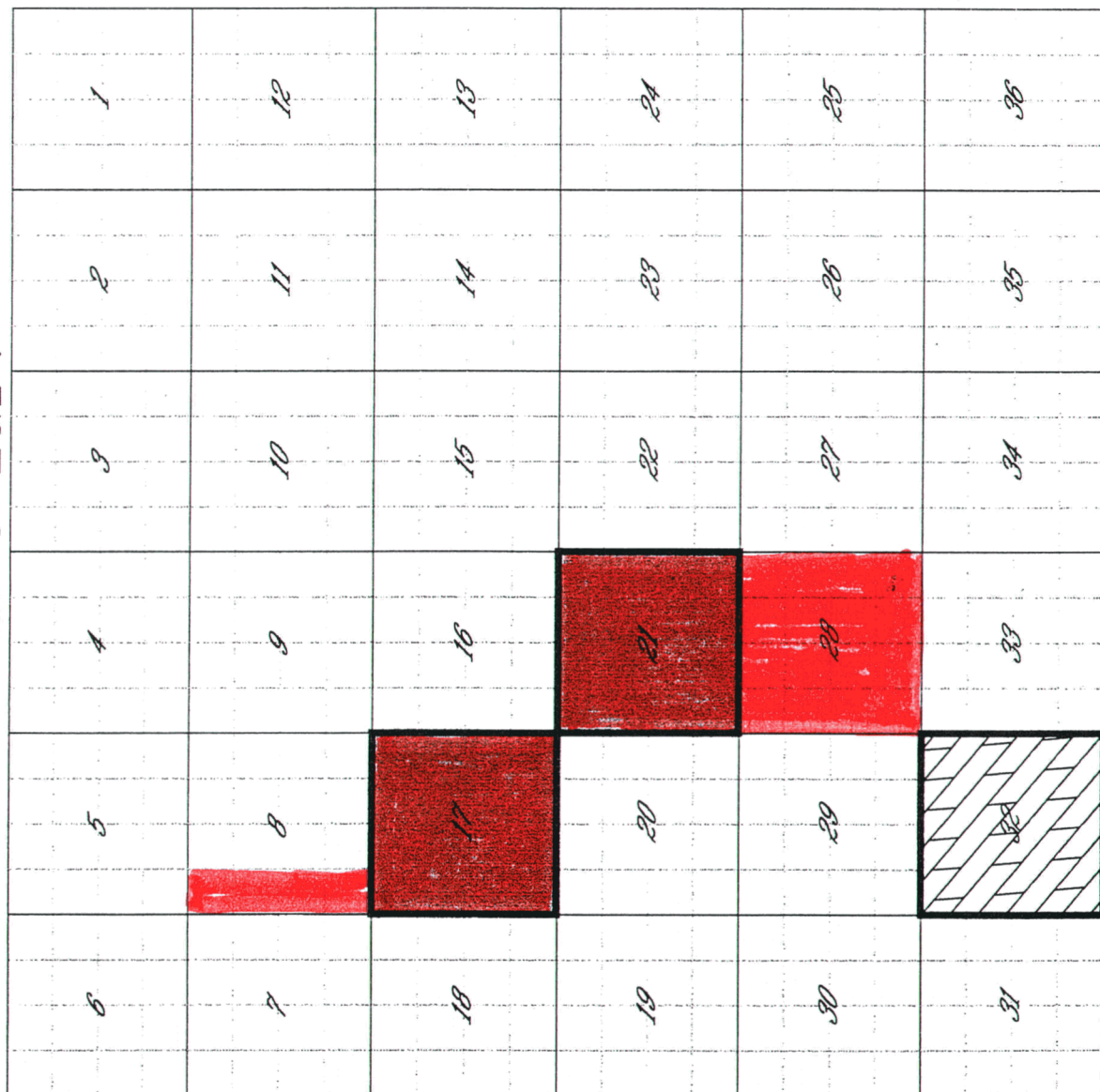


Sewer



Sewer

Johnson Utilities Company
Project No. WS 2987-93 516
Application for Extension



**JOHNSON UTILITIES COMPANY
CC&N EXPANSION**

PARCEL 1 (Arizona Farms) (2,240 Acres)

Section 1, Township 4 South, Range 8 East, and

Section 4 and 6, and

The North one-half of Section 7, all in Township 4 South, Range 9 East
G&SRB&M, Pinal County, Arizona.

PARCEL 2 (Bella Vista Farms) (2,560+ Acres)

Sections 13, 15 and 23, and

The West one-half of Section 14, and

That portion lying North and East of the Southern Pacific Railroad right-of-way in
Section 16, all in Township 3 South, Range 8 East G&SRB&M, Pinal County,
Arizona

PARCEL 3 (Bonanza Land Co) (118+ Acres)

The West 2066.42 feet of the North 2669.96 feet of Section 2, Township 3 South,
Range 7 East, G&SRB&M, Pinal County, Arizona,

Except any portion lying South of center line of Hunt Highway.

PARCEL 4 (Whitehead) (160 Acres)

The East one-half of the West one-half of Section 31, Township 3 South, Range 8
East, G&SRB&M, Pinal County, Arizona.

PARCEL 5 (Skyline) (500 Acres)

A parcel of land being a portion of Section 12, Township 3 South, Range 7 East and
a portion of Section 7, Township 3 South, Range 8 East of the Gila and Salt River
Meridian, Pinal County, Arizona, being more particularly described as follows:

All of said Section 12 lying North and East of the Hunt Highway Right-of-Way
except the north 1320 feet of the West 1320 feet lying North and East of Hunt
Highway, and

The West Half of said Section 7 except the Hunt Highway Right-of-Way.

PARCEL 6 (Cravath) (480 Acres)

Section 1, except the West one-half of the West one-half, Township 3 South, Range
7 East, G&SRB&M, Pinal County, Arizona

PARCEL 7 (Shelton) (160 Acres)

The West half of the West half of Section 8, Township 3 South, Range 9 East
G&SRB&M, Pinal County, Arizona.

PARCEL 8 (Various) (640 Acres)

Section 28, Township 3 South, Range 9 East G&SRB&M, Pinal County, Arizona

PARCEL 9 (Walker Butte Granite, L.L.C.) (1,600 Acres)

Please see attached Appendix 1 for legal description

PARCEL 10 (State of Arizona) (1,840 Acres)

The Southeast quarter of Section 10, and

The East half of Section 15, and

The Northeast quarter, and the North half of the Southeast quarter of Section 14, and

The Southeast quarter of Section 23, and

Section 25, and

The North half of Section 35

All in Township 4 South, Range 8 East, G&SRB&M, Pinal County, Arizona.

PARCEL 11 (El Dorado Holdings) (1,280 Acres)

Section 31, Township 2 South, Range 8 East, and

Section 6, Township 3 South, Range 8 East, both in G&SRB&M, Pinal County, Arizona

PARCEL 12 (San Tan Shadows) (465 Acres)

All that portion of Section 2, Township 3 South, Range 7 East lying North and East of Hunt Highway, except a portion of said Section 2 lying West of the following DESC line beginning at a point which lies East 2066.42' from the Northwest corner of Section 2, thence South 266.16' to an intersection with the centerline of said Hunt Highway and point of terminis Section 2, Township 3 South, Range 7 East.

Northwest Northwest of Section 12, Township 3 South, Range 7 East lying North of Hunt Highway Section 12, Township 3 South, Range 7 East;

West half of the West half Section 1, Township 3 South, Range 7 East;

PARCEL 13 (Bureau of Land Management) (800 Acres)

Southeast quarter of Section 12, Township 4 South, Range 8 East;

East half of Section 13, Township 4 South, Range 8 East;

West half of Section 15, Township 4 South, Range 8 East.

Arizona Department of Environmental Quality
Drinking Water Compliance Enforcement Unit
3033 N. Central Avenue, M0501B
Phoenix, AZ 85012

COMPLIANCE STATUS REQUEST FORM - To be completed for any written or verbal compliance status request made to the Drinking Water Compliance Enforcement Unit.

PWS Name: Johnson Utilities - Johnson Ranch

PWS ID #: # 11-128

Compliance Status: NO MAJOR DEFICIENCIES

If system is in non-compliance, please indicate why in the comment section.

Comments:

ADEQ received compliance monitoring results for POE 001 on March 10, 2000. The sample taken on March 8, 2000, had analytical results of 6.52 mg/L for Nitrate. ADEQ issued an Approval Of Construction (AOC) on March 13, 2000, to Johnson Utilities for the Reverse Osmosis unit used to treat water for this system. The AOC is contingent upon the Blending Plan also granted on March 13, 2000.

Date of last ADEQ inspection/sanitary survey: 12/03/99

Please attach a copy of the most recent inspection/sanitary survey report annotated to reflect current status of correction of deficiencies.

Noncompliance with Administrative Order (please attach order, highlighting noncompliance items)

Is ADEQ compliance order in effect? Yes No XX

If yes, please attach a copy.

Please attach a list of known violations.

Please fill in the following:

Number of Points of Entry = 1 Connections Served = 100 Population Served = 300
Initial year for Phase II = 2000 Initial year for Phase V = 2000 MAP year = 2000

The latest representative measurements for the following:

TDS 844 mg/L *1997*
(Contaminant Code 1930)

Fluoride <0.4 mg/L *1997*
(Contaminant Code 1025)

Nitrate 6.52 mg/L *2000*
(Contaminant Code 1040)

DWCEU Evaluation completed by: Melanie Barton *MB*

Title: Compliance Officer

Phone: 207-4443

Date: March 20, 2000

ADEQ has determined that this system is currently delivering water that does not exceed any MCL (maximum contaminant level) and meets Safe Drinking Water Act quality requirements. This compliance status report does not guarantee the water quality for this water system in the future. This compliance status report does not reflect the status of any other water system owned by this utility company.

cc: Facility File # 11-128

Arizona Department of Environmental Quality
Drinking Water Compliance Enforcement Unit
3033 N. Central Avenue, M0501B
Phoenix, AZ 85012
(602) 207-4624

COMPLIANCE STATUS REQUEST FORM - To be completed for any written or verbal compliance status request made to the Drinking Water Compliance Enforcement Unit.

PLEASE ALLOW A MINIMUM OF TWO WEEKS NOTICE FOR A COMPLETED REPORT.

Individual Requesting Information: Mr. Rich Campbell, Esq.
Requesting individual(s) firm Story and Pleroni
Phone: (602) 522-0203
Date of request: June 5, 2000
PWS System name: Johnson Utilities L.L.C. / Sun Valley Unit V
PWS ID # 11-116

THIS SECTION TO BE COMPLETED BY DRINKING WATER SECTION STAFF:

Compliance Status: check one; if system is in non-compliance, please indicate why in the comment section:

MAJOR DEFICIENCIES

 YES

XX NO

Comments: The Water System is now providing water by "hauling" from the Johnson Ranch Water System PWS ID # 11-128. The "hauling" water meets the state and federal safe drinking water standards. Additionally, the Sun Valley Unit V water system is in the process of obtaining an approval for a new source (well) to provide water to the Sun Valley Unit V water system. That new source requires ADEQ approval prior to being provided to the water system users.

Previously cited deficiencies related to Radiochemical and Lead and Copper monitoring requirements will be addressed in conjunction with the new source approval process and will no longer constitute major monitoring deficiencies.

DWCEU Evaluation completed by: Bill DePaul, Drinking Water Enforcement Coordinator *BAD*

Phone: (602) 207-4652 DATE: June 5, 2000

Copy of completed Compliance Status Report provided to the individual requesting information on June 5, 2000 in person.

cc: Facility File PWS # 11-116

m:\wpdocs\bolierpl\comstat\11-116.600

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY
Water Quality Division - Water Quality Compliance Section
Water Quality Enforcement Unit
3035 N. Central Ave., Phoenix, AZ 85012

APPROVAL OF CONSTRUCTION (WASTEWATER)

ADEQ File No.: 980174

Inventory No: 125011

Project Description: This is the main sewage treatment plant serving the Johnson Ranch subdivision. This new sewage treatment plant consists of the following units:

- Influent:** 12 inch PVC influent force main (ADEQ File #980115).
- Box Culvert:** 1.5 ft. wide channel, base are 1/4 in. x 1 in. on 1 in. centers @ 45° w/ drain pad;
- Subsiding Box:** an inlet box with valving, distributed flow as appropriate to the lagoons.
- Lagoons:** 6 aerated lagoons are provided; each lagoon has a 30 mil liner with 1 ft. of protective soil cover; manual flowback is 3 feet; berm width is 15 ft.; slopes are 3H:1V (inside/outside); with series/parallel operation; the normal operating depth is 7 feet.
- 1 lagoon are 575,000 gallons each (717,000 gal @ 3 ft. freeboard); 1 aerator/lagoon;
- 1 lagoon is 3,300,000 gallons (3,990,000 gal @ 3 ft. freeboard); 4 aerators/lagoon;
- 1 lagoon are 5,357,000 gallons each (6,280,000 gal @ 3 ft. freeboard); 4 aerators/lagoon;
- Aeration:** 24 floating aerators (Aqua-Lon Aerators) (7.5hp) have been installed;
- Settling:** 2 constructed wetlands are provided; each wetland consists of 3 cells with 20 mil liners; 4 plant types are used in both the surface flow (SF) and sub-surface flow (SSF) cells.
- First Cell: the first cell is a surface flow (SF) cell (0.37 acres) (56,000 sq ft) with 1 ft of standing water;
- Second Cell: the second cell is a sub-surface flow (SSF) cell (1.06 acres) (45,700 sq ft) with an 18 inch substrate;
- General: bays are r/c supported; splitter houses and 6 in. PVC/SPP (perforated) drains are provided;
- Usage: these units are for polishing the secondary effluent and nitrogen removal;
- Reflow System:** the underflow from the wetlands is recirculated via a pump station and force main including flow metering; the collection pipe consists of 300 18(16in.), 763 12(14in.) PVC (SDR 35) pipe, and 8 Manholes; the pump station will consist of 2 submersible pumps (hydraulic) each 326 gpm @ 45 ft. TDH @ 3000; the force main consists of 1,330 LF of 8 inch PVC (ANSI 15) pipe with valving to allow for current recirculation back to the aeration lagoons or to future reuse upon the golf course. (Note: this force main will be extended in the future; therefore, this line is plugged after the lagoon valves). No reuse system currently exists.
- Amalgamation:** weeping cables/blocks, splitter/air house, valves, fanning, portable generator 114 DVA;
- Discharge:** no effluent is discharged; emergency storage/equalization will occur in the lagoons;
- Design Data:** the plant (all aerated lagoons) has a design average flow of approx. 0.8 MGD; each wetland unit (2 cells) has a design average flow of 25,000 gpd (50,000 gpd total). No chlorination system currently exists.

Project Site: East of Hunt Hwy. (Section 11, T4S, R9E)
About 6 miles South of Queen Creek
Queen Creek, AZ (Pinal County)

Project Owner: Johnson Utilities Inc., LLC
6330 East Shea Blvd., Suite 200
Scottsdale, AZ 85264 (602) 886-3300

This Approval of Construction is based upon the following items:

1. ADEQ Certificate of Approval to Construct for ADEQ File No. 980174; signed on October 8, 1998.
2. Engineer's Certificate of Completion (ECC), dated on March 7, 2000, by Gerald A. Edwards, P.E., Certificate No. 33780, and submitted after the completion of construction and the final inspection.
3. 10 pages of "Record Drawings", dated March 7, 2000, received by ADEQ on March 8, 2000, for the above-described project, with As-Built Certification provided by Gerald A. Edwards, P.E., Certificate No. 33780. Plans are titled: JOHNSON UTILITIES COMPANY, SECTION 11 WASTEWATER TREATMENT PLANT, INITIAL CONSTRUCTION PLANS.
4. Test Description: all liner seams, joints and boots were air-leak tested and passed the required tests.
Manholes/Walk Boxes: one manhole and one walk box were tested and passed the required condition tests.
Gravity Piping: 836(820 LF) of the sewer piping was tested and passed the required low pressure air tests.
Pressure Piping: the force main was pressure tested to 200% of operating pressure.
5. An O&M Manual titled: Johnson Ranch, Phase I, Wastewater Treatment Plant, Operations & Maintenance Manual, March 2000.

Approval to operate the above described facilities as represented in the approved plan documents on file with the Arizona Department of Environmental Quality and/or the County Health Department is hereby given subject to the following provisions: the provisions are included. Arizona Revised Statutes require that the operation of the project must be in accordance with the rules of the Arizona Department of Environmental Quality.

Review/Sign:

M. Reza Aji
M. Reza Aji, Manager
Water Quality Enforcement Unit
Approval Date: 7/7/2000

cc: Engineering Review Desk, ADEQ File No.: 980174
WQEC/Facility File, Construction File
Pinal County: Health Dept.
Project Engineer: The VLS Group, Inc., 333 E. Osborn, Suite 300, Phoenix, AZ 85012 (602) 278-1010
AZ Corporation Commission

APPROVAL OF CONSTRUCTION (WASTEWATER)

cc: Approval of Construction Plan (Final County) 880316
Facility Planning Inventory No. 103001.
Engineering Review Desk. ADEQ File No.: 880316
Final County/Health Dept.
Project Engineer: The WLS Group, Inc., 333 E. Camel, Suite 880, Phoenix, AZ 85012 (602/278-1070)
Arizona Corporation Commission

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY
Water Quality Division - Water Quality Compliance Section
Water Quality Enforcement Unit
3033 N. Central Ave., Phoenix, AZ 85012

APPROVAL OF CONSTRUCTION (WASTEWATER)

ADEQ File No.: 880007

Inventory No: 103081

Project Description: A Trunk Sewer (Phase 1) to serve Johnson Ranch. The trunk sewer system consists of approximately 3,175 LF of 33 inch, and 147 LF of 15 inch PVC (SDR 35) gravity sewer pipe, 10 manholes, and appurtenances, to serve present/future developments with discharge to the main pumping station (ADEQ File 880011), and the main sewage treatment plant (Section 11) (ADEQ File 8800374).

Location: Along Hunt Hwy. Sections 12/ 20, T3S, R8E
About 3 miles South of Queen Creek
Queen Creek, AZ (Pinal County)

Project Owner: Johnson Utilities Inc., LLC
5330 West Shea Blvd., Suite 200
Scottsdale, AZ 85254 (480/888-3300)

This Approval of Construction is based upon the following items:

1. Arizona Department of Environmental Quality Certificate of Approval to Construct for ADEQ File No. 880007 signed on March 16, 1998.
2. Original Engineer's Certificate of Completion, dated on July 21, 1998, by Brian P. Tompsett, P.E., Certificate No. 27077 and submitted after the completion of construction (7/98), and the final inspection (7/98).
3. 8 pages of 'As-Constructed Record Drawings', dated July 20, 1998 and received by ADEQ on July 21, 1998, for the above-described project; no-built certification is provided by Brian P. Tompsett, P.E., Certificate No. 27077 on July 21, 1998. Plans are West Sewer Phase, JOHNSON RANCH-TRUNK SEWER-PHASE 1, Pinal County, Arizona.
4. 7 pages of test data, indicating that 73% (2,441 LF) of the collection system was tested and passed the low pressure air tests, that 70% (7) of the manholes were tested and passed the infiltration tests, and that 100% of the sewer length was inspected via video and passed the video inspection.

Approval to operate the above described facilities as represented in the approved plan documents on file with the Arizona Department of Environmental Quality under the County Health Department is hereby given subject to the following provision. No provisions are included.

Arizona Revised Statutes require that the operation of the project must be in accordance with the rules of the Arizona Department of Environmental Quality.

Reviewed by:

M. Raza *MR* 4/7/2000
M. Raza ASCE, Manager Approval Div
Water Quality Enforcement Unit

cc: Approval of Construction File (Pinal County) 880007
Facility Photo/Map Inventory No. 103081
Engineering Review Dept, ADEQ File No.: 880007
Pinal County Health Dept.
Consulting Engineer: The WLS Group, Inc., 333 E. Desert, Suite 380, Phoenix, AZ 85012 (phone: 602/278-1010)
Arizona Corporation Commission

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY
Water Quality Division - Water Quality Compliance Section
Water Quality Enforcement Unit
3033 N. Central Ave., Phoenix, AZ 85012

APPROVAL OF CONSTRUCTION (WASTEWATER)

ADEQ File No.: 980932

Inventory No. 203982

Project Description:

A sewage collection system to serve the Johnson Ranch Sub 93A. The sewage system consists of approximately 4,005 LF of 8 inch, and 3,470 LF of 12 inch PVC (S&B 35) gravity sewer pipe, 25 manholes, 1 culvert, and appurtenances. It serves approximately 166 lots with 38,376 gpd (2.4/acre @ 50 gpcd) discharged to existing sewer lines (20/15 inch trunk sewers), thence to the main pumping station (ADEQ File 980215), and the main sewage treatment plant (Sanction 21) (ADEQ File 9900174).

Location:

South of Bella Vista Road, West of Hunt Hwy. Section 30, T38, R9E
About 3 miles South of Queen Creek
Queen Creek, AZ (Pinal County)

Project Owner:

Johnson Utilities Inc., LLC
8250 East Green Blvd., Suite 200
Scottsdale, AZ 85254 (480)988-3800

The Approval of Construction is based upon the following items:

1. Arizona Department of Environmental Quality Certificate of Approval to Construct for ADEQ File No. 980081 signed on June 28, 1998.
2. Original Engineer's Certificate of Completion, dated on September 14, 1998, by Brian P. Tompsett, P.E., Certificate No. 27077 and submitted after the completion of construction (8/98), and the final inspection (8/98).
3. 15 pages of "Record Drawings", dated July 12, 1998 and received by ADEQ on September 16, 1998, for the above-described project plans were originally sealed by Brian P. Tompsett, P.E., Certificate No. 27077 on January 5, 1999. Plans are titled: Johnson Ranch, Unit 9A - Water and Sewer Plans, Pinal County, Arizona.
4. 10 pages of test data, indicating that 84 % (4,105 LF) of the collection system was tested and passed the low pressure air tests, that 32 % (7) of the manholes were tested and passed the infiltration tests, and that 38 % (2,254 LF) of the sewer length was tested and passed the deflection tests.
5. The January 22, 1998 SEWER SERVICE AGREEMENT, between the developer and Johnson Utilities Company, in which the Utility agrees to provide sewer service for each lot.

Approval to operate the above described facilities as represented in the approved plan documents on file with the Arizona Department of Environmental Quality and/or the County Health Department is hereby given subject to the following provision: No provisions are included.

Arizona Revised Statutes require that the operation of the project must be in accordance with the rules of the Arizona Department of Environmental Quality.

Reviewed by:

M. Rags *ADJ* 4/7/2000

M. Rags, ASCE Manager Approval Date
Water Quality Enforcement Unit

cc:

Approval of Construction File: (Pinal County) 980081
Facility File: WQEU Inventory No. 105081
Engineering Review Desk, ADEQ File No.: 980081
Pinal County Health Dept.
Consulting Engineer: The WLD Group, Inc., 343 E. Green, Suite 300, Phoenix, AZ 85012 (phone: 602/278-1010)
Arizona Corporation Commission

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY
Water Quality Division - Water Quality Compliance Section
Water Quality Enforcement Unit
3033 N. Central Ave., Phoenix, AZ 85012

APPROVAL OF CONSTRUCTION (WASTEWATER)

ADEQ File No.: 980011

Inventory No: 303663

Project Description:

A sewage collection system to serve the Johnson Ranch Unit #1. The sewage system consists of approximately 3,000 LF of 8 inch and 48 LF of 12 inch PVC gravity sewer pipe (Unit 16), 20 manholes, and appurtenances, to serve approximately 130 lots with 34,500 gpd (avg) discharges (north part of the Unit) into an existing 18 inch trunk sewer (ADEQ File 980007) on Johnson Ranch Blvd., and (south part of the Unit) into an existing 24 inch sanitary sewer (ADEQ File 980093) on Desert Willow Blvd., all flows being tributary to the main pumping station (ADEQ File 980021), and the main sewage treatment plant (Station 21) (ADEQ File 9800174).

Location:

Along Main Highway (Section 19/20, T3S, R2E)
About 3 miles South of Queen Creek
Queen Creek, AZ (Pinal County)

Project Owner:

Johnson Utilities Inc., LLC
8230 East Shea Blvd., Suite 200
Scottsdale, AZ 85254 (480) 998-3300

The Approval of Construction is based upon the following items:

1. Arizona Department of Environmental Quality Certificate of Approval to Construct for ADEQ File No. 980011 signed on May 26, 1998.
2. Original sealed Engineer's Certificate of Completion issued on March 8, 1999, by Brian P. Tompsett, P.E., Certificate No. 27077 and submitted after the completion of construction March 1999, and the final inspection (March 1999).
3. 11 pages of "As-Built" plans, dated March 8, 1999 and received by ADEQ on March 12, 1999, for the above-described project. As-Built certification is provided by Brian P. Tompsett, P.E., Certificate No. 27077 on March 8, 1999. Plans are titled: Johnson Ranch, Unit 1 - Water and Sewer Plans, Pinal County, Arizona.
4. 5 pages of Test data, indicating that 30% (1,307 LF) of the sewer system was tested and passed the required low pressure air tests, and that 33% (81 manholes) were tested and passed the required certification tests, and that 48% (2,088 LF) of the sewer system was tested and passed the required deflection tests.
5. The January 7, 1999 SEWER SERVICE AGREEMENT, between the developer and Utility, in which the Utility agrees to provide sewer service for each lot.

Approval to operate the above described facilities as represented in the approved plan documents on file with the Arizona Department of Environmental Quality and/or the County Health Department is hereby given subject to the following provision: No provisions are included.

Arizona Revised Statutes require that the operation of the project must be in accordance with the rules of the Arizona Department of Environmental Quality.

Reviewer(s):

M. Rego *M. Rego* 4/7/2000
M. Rego Asst. Manager Approved Date
Water Quality Enforcement Unit

cc:

Approval of Construction File: (Pinal County) 980011
Facility File: WQBU Inventory No. 102087.
Engineering Review Date: ADEQ File No.: 980011
Pinal County Health Dept.
Consulting Engineer: The WLS Group, Inc., 533 E. Osborn, Suite 300, Phoenix, AZ 85012 (phone: 602/278-1018)
Arizona Corporation Commissioner

BEFORE THE DIRECTOR OF THE
ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

In the matter of:)	
)	
Johnson Utilities, L.L.C.)	AMENDMENT TO CONSENT ORDER
5230 E. Shea Boulevard)	
Scottsdale, Arizona 85254)	DOCKET NO. P-105-99
)	
<u>PINAL COUNTY</u>)	

WHEREAS, Respondents, Johnson Utilities, L.L.C., (Johnson Utilities) has entered into Consent Order Docket No. P-105099 with the Arizona Department of Environmental Quality (ADEQ):

WHEREAS, The parties agree to amend Part IV of the Compliance Schedule as shown herein in accordance with Part VII.J of Consent Order Docket No. P-105099;

WHEREAS, ADEQ and Johnson Utilities desire to enter into this Amendment to Part IV of the order reflecting the status of Johnson Utilities's Wastewater Treatment Facilities and the Johnson Utilities's compliance with the remaining obligations described in the Order;

WHEREAS, all other parts of Consent Order Docket No. P-105-99 shall remain in effect pursuant to Part VII.H;

WHEREAS, the effective date of this Amendment shall be the date the Director signs the Amendment;

THE DIRECTOR ORDERS and Johnson Utilities agrees that Johnson Utilities shall take the following compliance actions immediately or as expressly set forth below:

AMENDED PART IV

COMPLIANCE SCHEDULE

A. INTERIM WASTEWATER SYSTEM :

1. Within five (5) working days of the date of this amendment Johnson Utilities shall submit for ADEQ approval, a revised operations and maintenance plan certified by an Arizona registered engineer, describing the method by which Johnson Utilities will provide an interim sewage conveyance, treatment, and disposal system that will adequately serve one hundred fifty (150) homes during the interim period prior to completing the construction of the Johnson Ranch Main WWTP on or before November 30, 1999. This proposed system may utilize those portions of the sewer conveyance and treatment system that have already received an Approval to Construct (ATC) from ADEQ. This operations and maintenance report shall include, at a minimum, a schedule and plan of operations indicating how the proposed interim wastewater system will be implemented as approved by ADEQ, and the proposed maximum duration that the interim system will be operated as approved by ADEQ, which is until November 30, 1999. The revised O&M plan shall include a list of each sewer line plug utilized in this interim system.
2. Each sewer line plug used in this interim system shall be inspected daily, and the result of that inspection and condition of these plugs shall be reported monthly, until an Approval of Construction is issued in writing by ADEQ.
3. A set of engineering plans and specifications and a design report that describe the entire proposed interim wastewater conveyance, treatment, and disposal system that has been approved by ADEQ. Any amendments or updates needed to make allowances for

the additional eighty (80) connections, as described in the revised O&M Plan, shall be submitted within five working days of the effective date of this Amendment.

4. A description of the method by which the proposed interim wastewater system shall be monitored, operated, and maintained has been approved by ADEQ. This includes the frequency and nature of system monitoring, and the frequency in which the wastewater shall be vaulted and hauled. From the effective date of this amendment, each time the Vault is to be pumped, a beginning sewage depth measurement, in relation to the 1512.00 foot mark on the wall, shall be taken and reported for each hauling with the Consent Order monthly reports. At no time shall the inflow to the sewer vault exceed the 1512.00 foot mark on the wall approved by ADEQ.

5. A map and written description of the location and the address of the additional eighty (80) homes that will be served by the interim system, the projected maximum daily flows associated with those connections, and the approximate dates on which Johnson Utilities proposes to connect each of the additional eighty (80) homes, shall be submitted to ADEQ within five (5) working days of the effective date of this amendment. Each month's additions and changes shall be reported in each monthly report. These reports shall include any engineering calculations or monitoring results necessary to indicate that the system is operating correctly and within the limits of this Order and its Amendment.

6. Pursuant to Section IV.A.1., Johnson Utilities has submitted the following information for final interim system approval by ADEQ: (a) Construction as-built plans; (b) Testing data; (c) An Arizona Registered Engineer's Certificate of Completion; and

(d) Associated fees (as per A.A.C. R18-9-123 and R18-9-805) for any and all aspects of the interim system. No portion of the interim system may be utilized prior to receiving written approval by ADEQ. Nothing approved for the interim operation of this facility shall be considered as a permanent Approval of Construction for any facility. Any additions or corrections to the previously submitted and approved documents shall be submitted for review and approval within five (5) days of the effective date of this Amendment.

B. INTERIM HOUSING ADDITIONS : A maximum of one hundred fifty (150) homes for Johnson Ranch Subdivisions shall be allowed to connect to the interim wastewater system previously approved by ADEQ.

C. VAULT AND HAUL RECORDS : Copies of receipts for the vault and haul service, including the date, time, measurement of the pre-pumping sewage depth in the vault, and volumes hauled to each location, with verification from the City of Florence, shall be recorded and submitted with the monthly reports required by Section VI.A of this Consent Order.

D. COMPLETION OF CONSTRUCTION OF JOHNSON RANCH MAIN WWTP:

1. No later than **October 31, 1999**, Johnson Utilities shall complete construction of the Johnson Ranch Main WWTP and sewer conveyance system from subdivision unit no.s 2 and 3 to the main WWTP.
2. No later than **November 30, 1999**, Johnson Utilities shall submit an application for an AOC, and associated fees for the Johnson Ranch Main WWTP and sewer conveyance system from subdivision unit no.2 and 3. The application for an AOC for

this project shall include but not be limited to as-builts, construction testing data and an Engineers Certificate of Completion by an Arizona Registered Engineer.

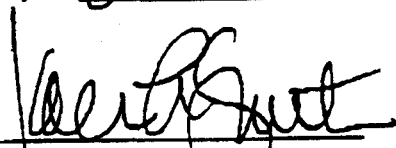
E. **UNAUTHORIZED RELEASES:** Any unauthorized exceedance of the grit chamber 1512.00 foot level, release or discharge shall be reported to ADEQ within five (5) working days after discovering the violation. The written report shall describe the date and time of occurrence, amount released or exceeded, cause of the event, impact to public health and/or the environment, any actions taken to mitigate impacts to public health and/or the environment, and any remedial activities that have been or will be conducted.

CONSENT TO ORDER

The undersigned, on behalf of the Johnson Utilities, L.L.C., hereby acknowledges that Johnson Utilities, L.L.C. was represented by counsel and, having read the foregoing Amendment to Consent Order Docket No. P-105-99 in its entirety, agrees with the statements made therein, consents to its issuance by the Director, agrees that the Johnson Utilities, L.L.C. will abide by the same and waives any right to appeal.
DATED this 7 day of Oct, 1999.


George H. Johnson
Manager, Johnson Utilities, L.L.C.

ISSUED this 8th day of October, 1999.


Karen L. Smith, Director
Water Quality Division
Arizona Department of Environmental Quality

ORIGINAL of the foregoing Consent Order was filed this 8th day of October, 1999, with:

Lavonne Watkins, Case Manager
Office of Administrative Council
Arizona Department of Environmental Quality
3033 North Central Avenue
Phoenix, AZ 85012

ORIGINALS of the foregoing Consent Order was sent by Certified Mail, Return Receipt
Requested this 8th day of October, 1999, to:

George H. Johnson, Owner
Johnson Utilities
5230 E. Shea Boulevard
Scottsdale, Arizona 85254

Robert D. Anderson
Storey & Pieroni
3030 E. Camelback Road, Suite 265
Phoenix, Arizona 85016

COPIES of the foregoing Consent Order were sent through regular/inter/intradepartmental
mail to the following:

Dan Meer, Chief
CWA Compliance Office (WTR-7)
U.S. EPA, Region IX
75 Hawthorne Street
San Francisco, California 94105

Patrick J. Cunningham, Esq.
Chief Counsel
Environmental Enforcement Section
Office of the Attorney General
1275 West Washington Street
Phoenix, Arizona 85007

Reg Gloss, Environmental Health Director
Pinal County Health Department
188 South Main
Coolidge, Arizona 85228

M. Reza Azizi, Manager
Water Quality Compliance Unit
Water Quality Division
3033 North Central Avenue
Phoenix, Arizona 85012